

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATES OF AMERICA

VS.

CRIMINAL NO. 1:03cr93WJG-4

NIKIA DONYELLA BURTS

FINAL JUDGMENT

This cause is before the Court on Nikia Donyella Burts' motion for return of seized property [100-1] pursuant to Rule 41(g) of the Federal Rules of Criminal Procedure or alternatively, this Court's original jurisdiction under 28 U.S.C. § 1331. Because the criminal proceedings against Burts were concluded at the time he filed the instant motion, the Court will treat this matter as a civil action pursuant to 28 U.S.C. § 1331, seeking the return of property. *See Clymore v. United States*, 217 F.3d 370, 373 (5th Cir. 2000). Pursuant to the Memorandum Opinion entered in this cause, this date, incorporated herein by reference, it is hereby,

ORDERED AND ADJUDGED that Burts' motion for return of seized property [100-1] be, and is hereby, denied. It is further,

ORDERED AND ADJUDGED that each party bear their respective costs in connection with this action.

SO ORDERED AND ADJUDGED this the 30th day of March, 2006.

Walter J. Gex III
UNITED STATES SENIOR DISTRICT JUDGE